

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION 04-11852-NMG

KENNETH PASQUARIELLO, *
Plaintiff *

V. * DEFENDANT AMTRAK'S
* REQUEST FOR PRODUCTION
* OF DOCUMENTS TO
NATIONAL RAILROAD * PLAINTIFF, KENNETH
PASSENGER CORPORATION, ET ALS * PASQUARIELLO
Defendants *

The Defendant, National Railroad Passenger Corporation ("Amtrak"), in the above entitled action, pursuant to Rule 34 of the Rules of Civil Procedure, requests that the Plaintiff's Attorney produce all documents and things set forth below which are in their possession, custody or control for inspection and/or copying.

The said documents and things are to be produced at the offices of the Attorney for the Defendant: Paul J. Sahovey, MBTA Law Department, Ten Park Plaza, Seventh Floor, Boston, Massachusetts 02116, in or within thirty days from the date hereof unless some other time and place are mutually agreed upon by the parties or unless the 30-day period is enlarged. Said request is to include documents and things involving all incidents and/or accidents as alleged in plaintiff's Complaint.

This demand is to include all after-acquired documents and things. The plaintiff is, therefore, requested to supplement the production of documents and things by forwarding copies to the Defendant Amtrak or putting the defendant on notice as to any newly acquired material.

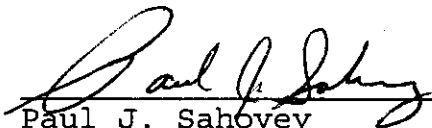
REQUESTS

1. Copies of all signed and/or unsigned statements or companies, which relate to the incident(s) referred to in the Complaint and which are in the possession, custody or control or available to the Plaintiff.

2. Copies of all signed and/or unsigned statements or statements recorded by mechanical and/or electronic means, made by any witnesses to the alleged accident(s), directly or indirectly, which are in the possession, custody or control of the Plaintiff or subject to his/her control.
3. The names and addresses of all persons known to the Plaintiff who were witnesses, either directly or indirectly, to the accident(s) as alleged in your Complaint.
4. Photographs or sketches, plans or diagrams, or copies thereof, of the scene of the accident(s) as alleged in your Complaint, the condition of the engine room of the locomotive and/or equipment involved in the accident together with any and all photographs which the Plaintiff intends to offer in evidence at the time of trial.
5. Any and all work and wage records, including hourly rate of pay, for a period of ten (10) years prior to the date of each accident(s) as alleged in your Complaint.
6. Any accident reports or other reports, either oral or in writing, filed either by the Plaintiff or on the Plaintiff's behalf by his or her attorney(s) or otherwise for the accident(s) as alleged in your Complaint.
7. All medical, hospital or other reports, either written or oral, involving injuries or damages as alleged to have been suffered by the Plaintiff as a result of the accident(s) as alleged in your Complaint; also, any and all bills, insurance company receipts of payment, together with all canceled checks, evidence of payment and/or cash receipts evidencing payment.
8. All medical, hospital, or other reports, either written or oral, involving injury to Plaintiff for a period of three years prior to the date of the accident(s) as alleged in your Complaint and also any and all bills, insurance company reports of payment together with all canceled checks, evidence of payment and/or cash receipts evidencing payment.

9. Copies of all state and Federal income tax records and returns which the Plaintiff filed with the Federal Government, Commonwealth of Massachusetts and county of residence for a period of five (5) years prior to the date of the accident(s) as alleged in your Complaint.
10. Copies of all reports of all expert witnesses in the possession or custody of the Plaintiff or subject to Plaintiff's control.
11. Copies of all documentary evidence to be used by the Plaintiff at the trial of this action including but not limited to public records, if any.
12. Copies of any and all plans, diagrams or drawings of the area of the locomotive, engine room, commuter rail station, commuter rail facility, a particular coach, or the general area of the premises where you were working at the time of the accident(s) as alleged in your Complaint.

NATIONAL RAILROAD
PASSENGER CORPORATION,
By its attorney,


Paul J. Sahovey
MBTA Law Department
Ten Park Plaza
Boston, MA 02116
617)222-3189
BBO# 437900

Dated: September 13, 2004